



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/046,776	01/17/2002	Masashige Mizuyama	2002_0036A	2677
513	7590	08/26/2005	EXAMINER	
WENDEROTH, LIND & PONACK, L.L.P.			MEUCCI, MICHAEL D	
2033 K STREET N. W.				
SUITE 800			ART UNIT	PAPER NUMBER
WASHINGTON, DC 20006-1021			2142	

DATE MAILED: 08/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.	Applicant(s)	
10/046,776	MIZUYAMA ET AL.	
Examiner	Art Unit	
Michael D. Meucci	2142	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 13-14 June 2005.

2a) This action is FINAL. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-24 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 1-24 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on 17 January 2002 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some * c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____

4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____

5) Notice of Informal Patent Application (PTO-152)

6) Other: _____

DETAILED ACTION

1. This actions is in response to the request for reconsideration filed 14 June 2005.

Information Disclosure Statement

2. The information disclosure statement filed 13 June 2005 fails to comply with 37 CFR 1.98(a)(3) because it does not include a **concise explanation of the relevance**, as it is presently understood by the individual designated in 37 CFR 1.56(c) most knowledgeable about the content of the information, of each patent listed that is not in the English language. It has been placed in the application file, but the information referred to therein has **not been considered**.

Response to Amendment

3. Examiner acknowledges amendments made to claims 5, 6, 10, 17, and 21. As such the 35 U.S.C. §112 rejections have been withdrawn.
4. Examiner acknowledges amendments made to the specification to correct minor errors.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the

applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-10 and 12-21 rejected under 35 U.S.C. 102(e) as being anticipated by Gish (U.S. 6,038,590).

a. As per claims 1 and 12, Gish teaches: an information terminal device for processing instruction data describing an instruction transmitted from a server for an application and stored in the information terminal device, the information terminal device comprising: a receiving unit for receiving the instruction data transmitted from the server (line 61 of column 17 through line 17 of column 18); an analyzing unit for analyzing the instruction data to generate analysis result data including identification data and data replacing default data of the application (lines 14-17 of column 18, lines 46-63 of column 24, lines 31-41 of column 29, and Fig. 22); an operation control unit for extracting, from the analysis result data, message data for display to a user, and generating a display message by replacing at least part of a default message included in the application and previously set for display to the user with the display message represented by the message data represented by the operation control unit (lines 46-49 of column 2, lines 15-32 of column 9, lines 46-63 of column 24, and Fig. 22); and a display unit for displaying to the user the display message generated by said operation control unit (lines 28-32 of column 1 and Fig. 1, 2, and 3).

b. As per claims 2 and 13, Gish teaches: a determining unit for determining the application corresponding to the instruction data (lines 57-67 of column 18 and lines 44-56 of column 52); an application executing unit for extracting, from the analysis result

data, operation data representing an operation for the message data, and carrying out an operation based on the application determined by the determining unit by following the operation data (lines 44-56 of column 52), wherein the default message is described in the application determined by the determining unit (lines 15-32 of column 9, lines 46-63 of column 24, and Fig. 22), and based on the operation of the application executing unit, the display unit displays on a screen the display message generated by the operation control unit (lines 9-11 of column 31 and lines 50-53 of column 52).

c. As per claims 3 and 14, Gish teaches: the display unit displays the display message represented by the message data on the screen when the application is activated by the application executing unit (lines 34-41 of column 29 and lines 44-56 of column 52).

d. As per claims 4 and 15, Gish teaches: when the operation control unit cannot extract the message data analyzed by the analyzing unit, the operation control unit sets the default message as the display message (lines 40-51 of column 17 and lines 41-52 of column 68).

e. As per claims 5 and 16, Gish teaches: the application includes the operation control unit and the application executing unit (abstract and lines 41-67 of column 18).

f. As per claims 6 and 17, Gish teaches: the operation control unit and the application executing unit are implemented by an applet operated on a virtual machine (lines 18-26 of column 29); the applet is retrieved from a server via the Internet (lines 17-34 of column 15 and lines 46-55 of column 20).

g. As per claims 7 and 18, Gish teaches: a determining unit for determining said application corresponding to said instruction data (lines 57-67 of column 18 and lines 44-56 of column 52); an execution checking unit for determining whether said application is to be executed based on said message data extracted by said operation control unit (lines 57-67 of column 18 and lines 44-56 of column 52); and an application executing unit for, when the execution checking unit determines that the application is to be executed, extracting from the analysis result data, operation data representing an operation for the message data, and carrying out an operation based on the application by following the operation data (lines 57-67 of column 18 and lines 44-56 of column 52).

h. As per claims 8 and 19, Gish teaches: the message data is a character string describing an instruction of the instruction data (lines 22-34 of column 1 and lines 14-24 of column 20).

i. As per claims 9 and 20, Gish teaches: the display unit displays the display message generated by the operation control unit for prompting the user to answer whether to execute the application (lines 25-27 of column 55); and when the user enters an answer as to whether to execute the application based on the display message displayed on the display unit, the execution checking unit determines whether the application is to be executed (lines 14-19 of column 48).

j. As per claims 10 and 21, Gish teaches: when a character string contained in linking hypertext of the instruction data stored in the server matches the message data, the execution checking unit determines that the application is to be executed (lines 4-32 of column 37, lines 45-63 of column 45, and lines 14-33 of column 48).

k. As per claims 23 and 24, Gish teaches: a processing unit for executing the application (lines 10-13 of column 7); wherein the operation control unit generates the display message by replacing at least part of the default message included in the application being executed by the processing unit with the display message represented by the extracted message (lines 46-49 of column 2, lines 15-32 of column 9, lines 14-17 of column 18, lines 46-63 of column 24, lines 31-41 of column 29)

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claim 11 and 22 rejected under 35 U.S.C. 103(a) as being unpatentable over Gish as applied to claims 7 and 22 respectively above, in view of AbdeInur et al. (U.S. 6,212,640 B1) hereinafter referred to as AbdeInur.

As per claims 11 and 22, Gish teaches: secure HTTP processes, which authenticate the user (lines 22-31 of column 14).

Gish fails to teach: the instruction data includes digital signature data representing validity of the instruction data; and the determining unit further verifies the digital signature data included in the instruction data, and determines the application corresponding to the instruction data only when the digital signature data satisfies a predetermined condition. However, AbdeInur discloses: "For example a digital

signature or an authorization certificate from a trusted authority can be included in an applet for verification purposes. A server that the applet seeks to access can determine the authenticity of the applet by verifying the applet's digital signature using a public key/private key encryption technique," (lines 2-7 of column 8).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have the instruction data includes digital signature data representing validity of the instruction data, and have the determining unit further verifies the digital signature data included in the instruction data, and determines the application corresponding to the instruction data only when the digital signature data satisfies a predetermined condition. "One security approach that allows applications or applets to access information on computers other than the one they have been retrieved from uses digital signatures or other forms of certification to confirm that an applet is a trusted applet," (line 65 of column 7 through line 2 of column 8). It is for this reason that one of ordinary skill in the art at the time of the applicant's invention would have been motivated to have the instruction data includes digital signature data representing validity of the instruction data, and have the determining unit further verifies the digital signature data included in the instruction data, and determines the application corresponding to the instruction data only when the digital signature data satisfies a predetermined condition in the system as taught by Gish.

Response to Arguments

9. Applicant's arguments filed 13 June 2005 have been fully considered but they are not persuasive.

10. (A) Applicant contends that Gish fails to disclose extracting, from analysis result data, message data for display to a user, and generating a display message by replacing at least part of a default message included in the application and previously set for display to the user with the display message represented by the message data. The examiner respectfully disagrees.

As to point (A), the applicant argues that there is no disclosure or suggestion in Gish of extracting message data for display to a user and replacing at least part of a default message included in an application for display to the user as is recited in claim 1. The examiner points to lines 41-43 of column 67 in Gish, in addition to previous citations, which discloses: "The createMessageHandlers function is where the message handlers are added, and other handlers (shutdown handler, default message handler, etc) are registered." This clearly provides support for default messages in general, and, in conjunction with the previously cited sections of Gish, teaches the limitations at issue. Extracting message data from analysis result data for display to a user is taught throughout Gish, particularly lines 47-51 of column 24. This section discloses: "A message flows into a communication layer in bytestream format 2200 and passed via a mediator 2202 to a message view 2210 to unpack and dispatch the message utilizing a MsgHandler PE Event Handler to transfer the PEInfo 2220 data," wherein the mediator performs the parsing and analyzing, thereafter displayed to a user. Gish further reads

on the remaining limitations of the claim on lines 46-49 of column 2 stating that write information may be into any area of the entire screen buffer area without causing a display problem. As such, the instant application is still not patentable over the prior art.

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

King et al. (U.S. 6,014,702) discloses distributed programmed objects and java virtual machine.

Taylor et al. (U.S. 6,256,676 B1) discloses java virtual machine and message extraction.

Holiday, Jr. (U.S. 6,272,674 B1) discloses java virtual machine and real-time server applications.

Brown et al. (U.S. 6,381,654 B1) discloses java virtual machine and application access.

Rogers et al. (U.S. 6,405,111 B2) discloses java and message passing.

Berry (U.S. 6,559,773 B1) discloses reconfigurable display with spontaneous reconfiguration.

Taylor (U.S. 6,922,411 B1) discloses networked computer telephony system driven by web-based applications.

12. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

13. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Meucci at (571) 272-3892. The examiner can normally be reached on Monday-Friday from 9:00 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell, can be reached at (571) 272-3868. The fax phone number for this Group is 571-273-8300.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [michael.meucci@uspto.gov].

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a

possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



ANDREW CALDWELL
SUPERVISORY PATENT EXAMINER